BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

Application of: 5626-28 Connecticut Ave. Ass. B.Z.A. Application No.: 17069

STATEMENT OF THE APPLICANT

I. Prior History of the Case

The property known as 3831 McKinley Street, N.W., (Square 1860, lots, 5, 6, 7, 17 and 18) is owned by 5626-28 Connecticut Avenue Associates. Robert Holland is the managing agent for the owners.

The site is zoned R-2 and is located at 3831 McKinley Street, N.W. It is used as a parking lot for the customers of Magruder's Food Store, which fronts on 5626-28 Connecticut Avenue. The subject property is located on the north side of McKinley Street and is bordered by 39th Street to the west and to the east by an alley that separates the parking lot from Margruder's Food Store. The site of the application is located within Advisory Neighborhood Commission 3 G.

The most recent special exception for this property was approved by this Board in an order dated July 27, 1998. The order granted the special exception for a period of five years. The Board further conditioned its approval on sixteen requirements, which are contained in the order and are incorporated herein.

The applicant has met each of the conditions imposed by the Board in its order of July 27, 1998 and therefore is requesting the renewal of the special exception for an accessory parking lot for an additional five (5) years.

II. Basis for Application

SPECIAL EXCEPTION CRITERIA (3108.1)

The parking lot has 56 spaces, which are used by customers of the adjacent Margruder's Food Store. The requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and will not affect adversely the use of neighborhood property in accordance with said Zoning Regulations and Map.

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ACCESSORY PARKING CRITERIA

The Board's previous approval under Application No. 16233 established that the subject lot complied with the provisions of 11 DCMR 214 as an accessory parking lot. The applicant continues to meet all the requirements of Section 214.

The existing accessory passenger automobile parking spaces are not on the same lot or part of the lot on which the main use is permitted (Sub-section 214.1). The entire parking lot is in an open area (Sub-section 214.2).

The subject parking spaces are separated from Magruder's Food Store site by a 15-foot public alley, which joins 39th Street and McKinley Street. The entire parking lot is within two hundred feet (200 ft.) of Magruder's Food Store (Sub-section 214.3).

The parking spaces are separated only by an alley from Magruder's Food Store (Sub-section 214.4).

Subsection 214.6 is not applicable to this application.

The points of ingress and egress are located on McKinley Street and not on Connecticut Avenue which has a much heavier traffic flow. Lots 5-7, 17 and 18 of Square 1860 are bounded by 39th and McKinley Streets, Connecticut Avenue and a 15 foot public alley to the north and east, thus buffering the subject site from becoming objectionable to adjoining or nearby property (Section 214.7).

III. Points in Support of the Application

Exhibit A	Self-certification document outlining the relief requested.
Exhibit B	Plats showing the boundaries and dimension of the subject site, and each of the 56 parking spaces.
Exhibit C	Three photographs of the subject parking lot.
Exhibit D	The names and mailing addresses of all property owners within two hundred (200) feet of the subject property.

Exhibit E Copy of previous order.

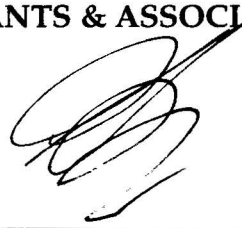
Exhibit F Copy of Certificate of Occupancy.

IV. Conclusion

WHEREFORE, it is respectfully requested that this Board grant the applicant a special exception for the use of the premises as an accessory parking lot for Magruder's Food Store, for a period of five (5) years, and grant them such other and further relief as to this Board may appear just and proper.

Respectfully submitted

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